

Committee on Ways and Means

TRADE PROMOTION AUTHORITY: SUMMARY OF BIPARTISAN CONFERENCE REPORT

Gives the Administration the authority to negotiate and bring back trade agreements to Congress that will eliminate and reduce trade barriers relating to manufacturing, services, agriculture, intellectual property, investment, e-commerce, transparency, and regulatory practices

- Supports reducing or eliminating subsidies that decrease market opportunities for U.S. agriculture or unfairly distort markets to the detriment of the United States, with special emphasis on biotechnology, ending unjustified barriers not based on sound science, and fair treatment for import-sensitive agriculture
- Preserves U.S. sovereignty while enabling new trade agreements that will create solid economic growth, improve efficiency and innovation, create better, high-paying jobs for hard-working Americans, and increase the availability of attractively priced products in the U.S. market
- Adds a trade negotiating objective on labor and environment issues:
 - ensure that party to the agreement does not fail to effectively enforce its labor and environment laws, through a sustained or recurring course of action or inaction, recognizing a government retains certain discretion;
 - strengthen capacity to promote respect for core labor standards and to protect the environment;
 - reduce or eliminate government practices or policies that unduly threaten sustainable development; and
 - seek market access for U.S. environmental technologies, goods, and services
- Adds a new negotiating objective on enforcement giving labor and environment disputes covered by the agreement parity with other issues in the trade agreement:
 - seek effective and timely resolution of disputes;
 - seek provision of compensation
 - seek appropriate penalties to the situation with aim of not adversely affecting interests not party to the dispute while maintaining the effectiveness of the enforcement mechanism; and
 - seek enforcement that treats all U.S. principal negotiating objectives equally with respect to ability to use dispute settlement, availability of equivalent procedures, and availability of equivalent remedies
- Sets forth other Presidential priorities, not covered by TPA, including greater cooperation between WTO and the ILO, and consultative mechanisms among parties to trade agreements to strengthen the capacity of U.S. trading partners to promote respect for core labor standards and the environment, technical assistance on labor issues, and reporting on the child labor laws of U.S. trading partners

- Directs the President to take into account legitimate health, safety, essential security, and consumer interests
- Directs USTR to preserve our ability to enforce vigorously U.S. trade remedy laws and avoid agreements which lessen the effectiveness of U.S. antidumping or countervailing duty laws
- Negotiating objective on investment increases transparency for dispute settlement process, calls for standards for expropriation and compensation that are consistent with United States legal principles and practice, and eliminates frivolous claims
- Provisions necessary or appropriate to implement the trade agreement qualify for TPA
- Expands and improves consultations between the Administration and Congress before, during, and after trade negotiations and in the development of an implementing bill
- Requires specific consultations with House and Senate Agriculture Committees
- Establishes a broad, bipartisan, and permanent Congressional Oversight Group to oversee negotiations and consult with the Administration
- Congress retains the right to vote an agreement down if it does not approve
- Applies to trade agreements entered into by June 1, 2005, with a possible two-year extension